

REMARKS

The Applicants wish to thank the Examiner for thoroughly reviewing and considering the pending application. The Office Action dated May 18, 2004 has been received and carefully reviewed. Claims 1-13 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

As an initial matter, the Applicants wish to thank Examiner Warren for meeting with the Applicants' representatives on August 31, 2004 to discuss the rejections of the pending claims.

The Office Action rejected claims 1, 3-6 and 8-12 under 35 U.S.C. § 103(a) as being unpatentable over the ARA in view of U.S. Patent No. 5,637,007 to *Suzuki et al.* (hereinafter "*Suzuki*"). The rejection of claims 1, 3-6 and 8-12 is respectfully traversed and reconsideration is hereby requested.

None of the cited references disclose all the elements recited in claims 1 3-6 and 8-12. As required in Chapter 2143.03 of the M.P.E.P., in order to "establish *prima facie* obviousness of the claimed invention, all the limitations must be taught or suggested by the prior art." The Applicants respectfully submit that neither the ARA, nor *Suzuki*, either singularly or in combination, disclose all the elements recited in claims 1, 3-6 and 8-12, as required under 35 U.S.C. § 103(a). In particular, independent claim 1 is allowable over the cited references in that the claim recites a lamp apparatus for a liquid crystal display having in part "a resin in the holder between the soldering and the holder." Neither the ARA nor *Suzuki*, either singularly or in combination, disclose this feature. In particular, no cited reference discloses that a resin is in combination with a soldering, as recited by at least claim 1. Furthermore, no cited reference suggests such a combination. Thus, the Applicants submit that a *prima facie* case of

obviousness has not been established because all the claimed limitations are not taught or suggested by the prior art.

Moreover, there is no motivation to combine the references. In order to establish a *prima facie* case of obviousness, there must at least be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. See MPEP § 2142.

Furthermore, the teaching or suggestion which results in the claimed combination must be found in the references themselves and not be based on the disclosure of the Applicants using improper hindsight. The references must expressly or impliedly suggest the claimed invention or the Office Action must have a convincing line of reasoning as to why one of ordinary skill in the art would have found the claimed invention obvious in light of the references in order to support the conclusion that the claimed invention is directed to obvious subject matter.

When the motivation to combine the references is not immediately apparent, the Office Action must explain why the combination of the teachings is proper. The fact that references may be combined does not render the resultant combination obvious unless the prior art suggests the desirability of the combination. See M.P.E.P. § 2143.01. Therefore, the fact that the references may indicate all aspects of the claimed invention were individually known in the art is not sufficient to establish a *prima facie* case of obviousness without some objective reason to combine the teachings of the reference.

In view of the above, and for the additional reasons set forth below, the Applicants respectfully submit that a *prima facie* case of obviousness has not been established with regard to the presently claimed invention.

The reasoning behind *Suzuki* and the teachings thereof are application specific, meaning only in certain applications would hydraulic fluid be present, such as automatic

transmissions. In rejecting the claim, the Examiner asserts that one skilled in the art of LCD applications would be motivated to look to the teachings of automotive transmissions. However, as is well known, one skilled in the art of LCDs would not be concerned with the leakage of hydraulic fluid around electrical connections and would not be motivated to look the teachings of hydraulics technology to solve the problem of broken wires. Furthermore, by indicating that *Suzuki* discloses “that the sealer ‘also serves to fix the wires 3 and the terminals 4, and further seals the front end portions of the wires 3’” ignores the claimed invention “as a whole.” See Office Action at page 4. More specifically, the Office Action fails to establish how fixing wires in an automotive transmission prevents the breakage of wires used for lamps of liquid crystal displays when an external force is transferred to a soldering portion. Likewise, *Suzuki* does not include any teachings showing how the fixing the wires prevents wire breakage when an external force is transferred thereto. Accordingly, one skilled in the art would not have been motivated to combine the teachings of *Suzuki* with the ARA to achieve the presently claimed invention.

Claim 3 is also allowable over the cited references as claim 3 recites a liquid crystal display module comprising, in part, “a resin in the holder between the soldering and the holder.” As discussed above, neither the ARA nor *Suzuki*, either singularly or in combination, disclose or suggest this feature. Furthermore, assuming *arguendo* that the cited references discloses all the features recited in claim 3, there is no motivation to combine the ARA and *Suzuki*, as discussed above. Therefore, the Applicants respectfully submit that claim 3 is patentable under 35 U.S.C. § 103(a) over the ARA in view of *Suzuki* and respectfully request that the rejection be withdrawn. Likewise, claim 4, which depends from claim 3 is also patentable for at least the same reasons.

In addition, claim 5 is similarly allowable over the cited references in that the claim recites a lamp apparatus for a liquid crystal display which includes, among other features, “a

resin provided at an end of the lamp housing in such a manner to enclose the wire at the end of the lamp housing where the resin reinforces the soldering such that the soldering resists external forces.” Neither the ARA nor *Suzuki*, either singularly or in combination, discloses or suggests a resin which encloses a wire where the resin reinforces the soldering such that the soldering resists external forces, as required under 35 U.S.C. § 103(a). Furthermore, even if the cited references disclosed all the elements of claim 5, the Office Action has failed to establish any motivation for combining the ARA with *Suzuki*. As such, claim 5 is patentable over the ARA in view of *Suzuki* and the Applicants respectfully request that the rejection be withdrawn.

Similarly, claim 6, which depends from claim 5, is also patentable for at least the same reasons.

Claim 8 is similarly allowable over the cited references. For example, claim 8 recites a liquid crystal display module having, among other features, “a resin provided at an end of the lamp housing in such a manner to enclose the wire at the end of the lamp housing where the resin reinforces the soldering such that the soldering resists external forces.” As previously discussed, neither of the cited references, namely the ARA nor *Suzuki*, disclose or suggest this feature, as required under 35 U.S.C. § 103(a). The ARA does not disclose the use of a resin. Likewise, *Suzuki* does not disclose a resin “where the resin reinforces the soldering such that the soldering resists external forces.” In addition, there is no motivation to combine the references, as discussed above. Accordingly, claim 8 is patentable over the ARA in view of *Suzuki* and the Applicants respectfully request that the rejection be withdrawn. Similarly, claim 9, which depends from claim 8, is also patentable for at least the same reasons.

Moreover, independent claim 10 is allowable over the cited references in that claim 10 recites a lamp apparatus for a liquid crystal display having, among other features, “a resin around an end of [a] wire where the resin reinforces the soldering such that the soldering resists external forces.” As described above, none of the cited references, either singularly or in

combination, discloses or suggests this feature. Moreover, even assuming that the cited references did disclose all the elements of claim 10, as mentioned above, there is no motivation to combine the ARA with *Suzuki*. Therefore, the Applicants respectfully submit that claim 10 is patentable under 35 U.S.C. § 103(a) over the ARA in view of *Suzuki* and respectfully request that the rejection be withdrawn. Likewise, claims 11 and 12, which depend from claim 10, are also patentable for at least the same reasons discussed above.

Additionally, the Applicants respectfully submit that *Suzuki* is nonanalogous and is not available as a reference under 35 U.S.C. § 103. According to Chapter 2141.01(a) of the M.P.E.P., a reference relied upon under 35 U.S.C. § 103 must be an analogous reference. “In order to rely on a reference as a basis for rejection of an Appellant’s invention, the reference must either be in the field of Appellant’s endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned.”¹

First, *Suzuki* is not in the pending application’s field of endeavor. More specifically, the pending application relates to a lamp apparatus for a liquid crystal display. *Suzuki* relates to a connector device for connecting a sheathed wire disposed within a housing of an automatic transmission. The Applicants respectfully submit that automatic transmissions are not in the same field of endeavor as liquid crystal displays.

Second, *Suzuki* is not reasonably pertinent to the particular problem with which the inventor of the pending application was concerned. The pending application addresses the shorting or breakage of wires used for lamps of liquid crystal displays when an external force is transferred to a soldering portion. See page 6, lines 4-7 of the originally filed specification.

¹ *In re Oetiker*, 977 F.2d 1443, 1446, 24 U.S.P.Q.2d 1443, 1445 (Fed. Cir. 1992).

In contrast, *Suzuki* addresses problems associated with positively fitting together male and female connector housings in automatic transmissions where the connector device connects a control element of a hydraulic circuit mounted within a housing of an automatic transmission to a control device outside of the housing. See col. 1, lines 6-9 and col. 2, lines 14-19 of *Suzuki*. More specifically, *Suzuki* discusses that when resin is poured into a casing having a terminal passage 57 through which a terminal 54 passes, the resin leaks through a gap between the terminal 54 and the terminal passage 57. The resin forms a bulged out portion 60a which forms into an agglomerate upon curing and a covering layer 60B. However, the agglomerate is an obstacle between the mating of a connector device C50 and a mating connector C51. In addition, the covering layer 60B introduces the possibility of incomplete mating of a terminal 62 with a mating terminal 62. See Figures 5 and 6 and col. 1, line 50 - col. 4, line 5.

Suzuki addresses this problem by disclosing a casing 2 that includes a leak portion collecting portion 9 and a surface diffusion chamber 12 which collects resin placed in the casing 2 during assembly of a connector device. Since resin collects in the leak portion collecting portion 9 and the surface diffusion chamber 12, a covering layer does not form that interferes with the contact between a terminal 4 and a mating terminal. Thus, the leak portion collection portion 9 and the surface diffusion chamber 12 allow proper mating between a terminal 4 and a mating terminal. See col. 4, line 40 - col. 5, line 47.

Therefore, *Suzuki* relates to problems which are not reasonably pertinent to the particular problem with which the pending application relates. In particular, the problems associated with an external force being transferred to a soldering portion and causing a short or break in a wire for a liquid crystal display are not even remotely similar to problems associated with positively fitting together male and female connectors in automatic transmission housings. The dissimilar problems addressed by the pending application and *Suzuki* would not have

logically commended itself to one of ordinary skill in the art considering the problem with which the present application is associated to turn to *Suzuki* to achieve the combination suggested by the Office Action. Thus, the Applicants respectfully submit that the Office Action has not shown that a person of ordinary skill in the art, seeking to solve the problems set forth in the background of the present application, as discussed above, would reasonably be expected or motivated to look to a connector connected to a control element of a hydraulic circuit mounted within a housing of an automatic transmission, as discussed above, in order to achieve the presently claimed invention.

The Applicants respectfully submit that a *prima facie* case of obviousness has not been established and claims 1, 3, 5, 8 and 10 are patentable under 35 U.S.C. § 103(a) over the ARA in view of *Suzuki* and respectfully request that the rejection be withdrawn. Likewise, claim 4, which depends from claim 3 and claim 6, which depends from claim 5, are also patentable for the same reasons discussed above and for the additional novel features recited therein. Furthermore, claim 9, which depends from claim 8 and claims 11 and 12, which depend from claim 10, are patentable as previously mentioned with reference to claims 8 and 10 and for the additional novel features claimed therein.

The Office Action also rejected claims 2, 7 and 13 under 35 U.S.C. § 103(a) as being unpatentable over the ARA in view of *Suzuki* as applied to claims 1, 5 and 10 above, and further in view of JP 04046314 A to *Saito* (hereinafter “*Saito*”). As discussed above, the Applicants submit that claim 1, from which claim 2 depends, is patentably distinct over the ARA in view of *Suzuki*. The Applicants submit that *Saito* does not address the shortcomings of both the ARA and *Suzuki*. More specifically, *Saito* does not disclose “a resin in the holder between the soldering and the holder” as recited in claim 1. Likewise, claim 5, from which claim 7 depends is patentably distinct over the ARA in view of *Suzuki*, as previously discussed. *Saito* does not

cure the deficiencies of either the ARA or *Suzuki*. In particular, *Saito* does not disclose “a resin provided at an end of the lamp housing in such a manner to enclose the wire at the end of the lamp housing” as recited in claim 5. Moreover, claim 10, from which claim 13 depends, is patentably distinct over the ARA in view *Suzuki*, as previously discussed. *Saito* does not cure the deficiencies of either the ARA or *Suzuki* as applied to claim 10. Specifically, *Saito* does not teach a “a resin around an end of [a] wire where the resin reinforces the soldering such that the soldering resists external forces” as recited in claim 10. Therefore, the Applicants respectfully submit that a *prima facie* case of obviousness has not been established and claims 2, 7 and 13 are patentable under 35 U.S.C. § 103(a) over the ARA in view of *Suzuki* as applied to claims 1, 5 and 10 above and further in view of *Saito* and respectfully request that the rejection be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Applicants hereby authorize the Commissioner of Patents to charge any fees necessary to complete this filing, including any fees required under 37 C.F.R. §1.136 for any necessary Extension of Time to make the filing of the attached documents timely, or credit any

overpayment in fees, to Deposit Account No. 50-0911. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. §1.136 for the necessary extension of time.

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Respectfully submitted,

By 
Rebecca Goldman Rudich

Registration No.: 41,786
MCKENNA LONG & ALDRIDGE LLP
1900 K Street, N.W.
Washington, DC 20006
(202) 496-7500
Attorney for Applicant